

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO 11 FEB 23 PM 12:18
WESTERN DIVISION
CINCINNATI, OHIO

U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

IN RE: UNITED STATES MAGISTRATE JUDGES

GENERAL ORDER OF ASSIGNMENT AND REFERENCE

All civil and miscellaneous cases filed at the Cincinnati location of court shall be randomly assigned upon filing to one of the resident District Judges and one of the resident Magistrate Judges. The Clerk shall note the assignment on the case docket. This assignment does not constitute a reference to the assigned Magistrate Judge for any purpose, but merely selects the Magistrate Judge to whom referrals in the case, if any, shall be made.

Pursuant to 28 U.S.C. §636(b), the following categories of cases filed at the Cincinnati location of court are hereby referred to the United States Magistrate Judge to whom the case has been assigned who is authorized to perform in each such case any and all functions authorized for full-time United States Magistrate Judges by statute. In each such case the Magistrate Judge shall proceed in accordance with Fed. R. Civ. P. 72.

If the parties in any such case unanimously consent to plenary Magistrate Judge jurisdiction under 28 U.S.C. §636(c), the assigned Magistrate Judge is hereby authorized to exercise such jurisdiction in accordance with the applicable statutes and Fed. R. Civ. P. 73, and without further order of reference.

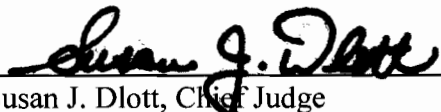
The referred categories of cases are:

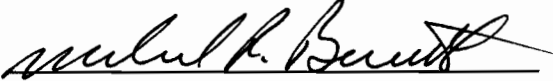
1. IRS Summonses: All cases filed pursuant to 26 U.S.C. §§7402(b) and 7604(a) to judicially enforce summonses issued by the Internal Revenue Services. The Federal Rules of Civil Procedure regarding intervention and discovery are suspended in such cases. *See Donaldson v. United States*, 400 U.S. 528 (1971).
2. Social Security: All appeals from decisions of the Commissioner of Social Security regarding Social Security benefits.
3. All misdemeanor cases unless or until the person charged with the misdemeanor elects to be tried before a district judge of this Court, pursuant to 18 U.S.C. § 4301(b).
4. All prisoner cases filed pursuant to 28 U.S.C. § 2254.

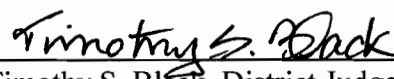
5. All prisoner cases filed pursuant to 42 U.S.C. § 1983.
6. All post-judgment proceedings in aid of execution (*e.g.*, garnishment, debtors examination proceedings, writs of replevin or eviction, etc.).
7. All discovery issues in cases assigned to the Honorable S. Arthur Spiegel.
8. Pro Se Cases: All cases filed by persons proceeding *pro se*. In such cases, the reference shall not terminate if the plaintiff later obtains counsel unless otherwise ordered by the assigned District Judge.

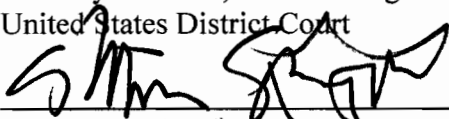
In each case in the above-described categories, this General Order shall act as a reference to the assigned Magistrate Judge without further order. The Clerk shall advise the parties in each such case of this General Order of Assignment and Reference and of their right to consent to plenary Magistrate Judge jurisdiction under 28 U.S.C. §636(c).

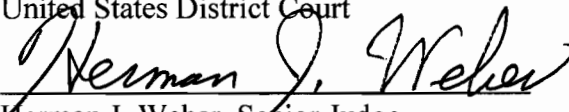
IT IS SO ORDERED.

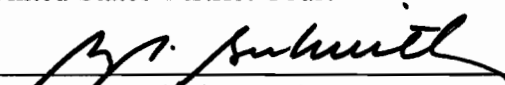

Susan J. Dlott, Chief Judge
United States District Court


Michael R. Barrett, District Judge
United States District Court


Timothy S. Black, District Judge
United States District Court


S. Arthur Spiegel, Senior Judge
United States District Court


Herman J. Weber, Senior Judge
United States District Court


Sandra S. Beckwith, Senior Judge
United States District Court